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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/904,626	07/16/2001	George Foti	LMC 2001-016	2975

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EXAMINER

MOORE JR, MICHAEL J

ART UNIT	PAPER NUMBER
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2666

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/904,626

Applicant(s)

FOTI ET AL

Examiner

Michael J. Moore, Jr.

Art Unit

2666

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,12,14 and 16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 and 3-5 is/are allowed.
- 6) ☒ Claim(s) 12,14 and 16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 12/22/2005 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims **12, 14, and 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Ebata et al. (U.S. 6,708,209) ("Ebata"). *Ebata* teaches all of the limitations of the specified claims with the reasoning that follows.

Regarding claim **12**, "a method for updating a table of data records, wherein each of the data records associates an Internet Protocol (IP) address range with a first Policy Enforcement Point (PEP) and a second PEP and wherein the table of data records resides in a network node" is anticipated by the resource policy table shown in Figure 6

of *Ebata* where incoming border router IP addresses (IP address range) of column 50104 are associated with different policy servers (PEPs) of column 50102.

“Receiving from a PEP routing information at the network node” is anticipated by the host messages (routing information) received by each of the policy servers (network nodes) as spoken of on column 9, lines 34-51.

“Extracting, from the routing information, IP addresses assigned to the PEP” is anticipated by the host IP address information contained within the host messages received by the policy servers as spoken of on column 9, lines 34-51.

Lastly, “comparing the received routing information with information stored in at least one data record, wherein the at least one data record has at least one of the PEP and the IP addresses being listed therein and, if needed, updating the at least one data record” is anticipated by a policy server updating its inter-organization link management table 321c by adding the contents of the received inter-organization link management tables (received routing information) from other policy servers as spoken of on column 9, lines 1-15.

Regarding claim **14**, “wherein the IP addresses in the routing information are represented by at least one IP address range” is anticipated by the host IP address information contained within the host messages received by the policy servers as spoken of on column 9, lines 34-51.

Regarding claim **16**, “wherein the routing information is sent using a standard routing protocol” is anticipated by the host IP address information contained within the host messages received by the policy servers as spoken of on column 9, lines 34-51.

Allowable Subject Matter

4. Claims **1 and 3-5** are allowable over the prior art of record.
5. The following is a statement of reasons for the indication of allowable subject matter:

Regarding *amended* claim **1**, *Ebata* teaches an interconnected network of policy servers that share policy information in order to provide quality-guaranteed communication paths. *Ebata* also teaches the use of a resource policy table shown in Figure 6 that associates policy servers (PEPs) with incoming border router IP addresses (range of IP addresses).

Ebata does not teach finding a specific record from the table corresponding to a specific IP address, reading a first corresponding PEP in that record, sending policy information to that PEP, and upon reception of an indication that the first PEP is not operational, reading a second corresponding PEP of that same record and then sending policy information to that PEP.

Regarding *amended* claims **3-5**, these claims are further limiting to *amended* claim **1** and are thus also allowable over the prior art of record.

Response to Arguments

6. Applicant's arguments with respect to *amended* claims **1 and 3-5** have been fully considered and are persuasive. The rejections of these claims have been withdrawn.
7. Applicant's arguments with respect to claim **12** have been fully considered but they are not persuasive.

Regarding claim **12**, Applicant argues that *Ebata* does not provide a mechanism of comparison between data already entered in tables and incoming data potentially updating the tables' entries.

However, *Ebata* teaches the updating of an inter-organization link management table of a policy server as spoken of on column 9, lines 1-30. As provided on these lines, *when a policy server is started, it is supplied with the contents of the inter-organization link management tables from the adjoining organizations. The policy server adds the contents of the received inter-organization link management tables into the entries where the organization IDs of the organizations that have forwarded the tables are registered, thereby reflecting them in its inter-organization link management table.*

It is held that the above process of *Ebata* involves some comparison of the data already present in the table with the incoming data to be added to the table. It is therefore held that *Ebata* anticipates claim **12**.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kanada et al. (U.S. 7,003,578), Surdila et al. (U.S. 2002/0181462), and Li (U.S. 6,711,172) are additional references considered pertinent to this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Moore, Jr. whose telephone number is (571)

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272-3168. The examiner can normally be reached on Monday-Friday (8:30am - 5:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema S. Rao can be reached at (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael J. Moore, Jr.
Examiner
Art Unit 2666

mjm MM

Seema S. Rao
SEEMA S. RAO 3/2/06
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600